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June 21, 2024

**VIA ECF**

Hon. Edgardo Ramos  
Thurgood Marshall U.S. Courthouse  
40 Foley Square, Courtroom 619  
New York, NY 10007

**Re: *SecurityScorecard, Inc. v. Safe Securities, Inc.*, Case No.: 1:24-cv-04240-ER**

Dear Judge Ramos:

We write on behalf of Plaintiff SecurityScorecard, Inc. in the above-referenced matter. During the June 13th preliminary injunction hearing before the Court, Your Honor inquired as to Defendant Mary Polyakova's ("Ms. Polyakova") possible motive for sending herself the Master East List in January 2024 and the CISO Prospect Lists in March 2024. You specifically asked: "Prior to the time that she was laid off, was she or any other employees at her level or below aware that the reduction in force ["RIF"] was in place, was going to take place?" See June 13, 2024 Hr'g Tr. at 13:7-9.

I responded at that time that: "I can't tell you what was in her mind. I can tell you that there were actually two reductions in force, one in January and one in April. The one in January, I can tell you that she was considered for that reduction in force, and was on a list to be included in that reduction in force. And we don't know if she found out about that or not. Ultimately, she was not let go in the January reduction in force, but she was let go in the April reduction in force. So did she know that was coming? I can't tell you." See *id.* at 13:10-20.

I provided the Court that response based on pre-Complaint discussions with our client regarding the January 2024 RIF. I should note there is no mention of the January 2024 RIF in our preliminary injunction papers, which instead say only that Ms. Polyakova's employment was terminated in April 2024. That termination occurred on April 3, 2024.

Following the June 13th hearing, counsel for Ms. Polyakova challenged that representation regarding the January 2024 RIF, and asked us to produce proof Ms. Polyakova was considered for termination at that time. We, in turn, asked our client for such documentary proof.

In the time since my request, however, our client has been unable to locate any RIF-related lists or other documentary proof from the pre-January 2024 RIF period showing Ms. Polyakova

June 21, 2024

Page 2

being considered for termination in the January 2024 RIF. Accordingly, we so advised counsel for Ms. Polyakova this afternoon, and are now so advising the Court.

If such proof is later found, we will of course so advise the Court. But, for now, we think the appropriate thing to do is to withdraw my prior response regarding Ms. Polyakova being considered for inclusion in the January 2024 RIF, and I hereby do so.

Respectfully submitted,

/s/ Kenneth W. Taber  
Kenneth W. Taber

cc: All Counsel of Record